

## EXPLANATORY NOTE

MUR 5296 involved 2002 election cycle activity.

Complainant, Gatewood Galbraith, alleged that Congressman Ernie Fletcher's newsletter, entitled *Summer Update 2002*, which had been inserted in the *Lexington Herald-Leader*, did not contain a disclaimer stating who had paid for the newsletter.

Congressman Fletcher responded by submitting a letter he had received from the House of Representative's Commission on Congressional Mailing Standards. The letter stated that the mailing was in accordance with franking laws and that an advisory opinion already had been issued deeming the newsletter "frankable."

Fletcher for Congress and Ronald Switzer, as treasurer, did not respond.

The Office of General Counsel recommended that the Commission dismiss the case as low-rated under the Enforcement Priority System.

The Commission voted to find no reason to believe that the respondents in MUR 5296 violated the Federal Election Campaign Act.